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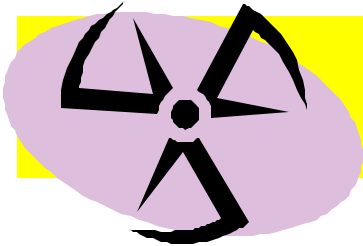
Website at
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Head of Yucca Mountain Project outlines Program

Margaret Chu, the new head of the project, is under tough opposition to show that her project can accept waste by the end of the decade. The Nuclear Waste Technical Review Board (NWTRB) was appointed three months ago by Congress to review the project. At present the board feels the technical basis for DOE's repository performance estimate is weak to moderate. The site will begin to accept waste by 2010 if the Act can clear both sides of Congress. The DOE will apply for its license from the NRC in December 2004 and start construction in 2007. The project design will only be 30%

complete when the license application is submitted. This percentage is not unusual in the construction and licensing environment. Another open issue is whether spent fuel will be trucked or sent by train. The DOE prefers rail shipments, but Nevada does not have the 150-ton rail system required. Nevada's input on the issue will help decide the matter. The program has started identifying transportation needs such as casks, railcars, trucks, auxiliary equipment, road and route designations, and private transportation services providers available for contracts. DOE plans to go to the private sector for as many needs as possible.



Department of Human Services
MAINE RADIATION
CONTROL PROGRAM

ADVISORY COMMISSION ON RADIOACTIVE WASTE & DECOMMISSIONING NEWS

Maine and the Texas Compact

The State of Maine has passed legislation to withdraw from the Texas Low-Level Radioactive Waste Disposal Compact. The bill is titled "An Act to Repeal Provisions Imposing Financial Obligations on Electric Consumers Resulting from the Texas Low-Level Radioactive Waste Disposal Compact". The bill in part states: "Pursuant to Sections 7.03, 7.04 and 7.05 of the Texas Low-Level Radioactive Waste Disposal Compact, the State of Maine hereby unilaterally and irrevocably withdraws from and terminates its agreements under the Compact. The State of Maine takes this step due to the closure of the State's largest generator of low-level radioactive waste in 1997, obviating the need for Maine's membership in the Compact, and due to the failure of the host state to cause a facility to be built in a timely manner pursuant to Section 4.04 of the Compact agreement." Maine voters approved the state's entry into the Texas Compact in 1993, which was in turn ratified by Congress in 1998. Under the compact the State of Texas is responsible for building, operating and decommissioning a low-level radioactive waste disposal facility. The states of Maine and Vermont are each required to pay Texas \$25 million to offset construction costs. A letter agreement was formed between the three Governors suspending payments due to the lack of a site

being established in Texas. When Maine entered the into the compact Maine Yankee was up and running and it made sense to seek disposal needs for it and other generators. Decommissioning was not expected to begin, at the earliest, in 2008. However, in 1997 the owner of Maine Yankee decided to terminate operations and undertake immediate decommissioning. Currently, more than 50% of the decommissioning process has been completed and substantial amounts of waste have been shipped for disposal at the Barnwell, South Carolina and Envirocare of Utah facilities. Radioactive waste in Maine, other than Maine Yankee, is mainly from laboratories and medical facilities. All of this waste is classified as eligible for disposal at the Envirocare facility in Utah." Under the provisions of the Texas Compact, either non-host state may enact legislation withdrawing itself from the compact provided that the withdrawal does not take effect for two years. During that two year period, the withdrawing state remains liable for operating costs of the Texas Compact Commission and for any payments that are due and payable to the host county. Currently, no compact commission has been formed and a host county has not been designated. Maine's legislative procedure delays the effect until 90 days after adjournment of the legislature.

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Special points of interest:	
<ul style="list-style-type: none">• Low Level Radioactive Waste and Materials in Maine• Decommissioning of Maine Yankee Atomic Power Plant• Radioactive Waste Management• High Level Radioactive Waste	
The next ACORWD meeting is set for 23 July 2002 , 10 am—12 at the State Office Bldg, Rm 209.	
<u>Radiation Control Program</u>	
Jay Hyland, Manager, 287-5677	
Tom Hillman, LLW, 287-8401	
Shawn Seeley, Materials, 287-5696	
Wayne Malloch, Materials, 287-8404	
Roger Carrier, X-Ray, 287-5719	
Linda Plusquellic, X-Ray, 287-5673	
Bob Stilwell, Radon, 287-5743	
Steve Sprengel, Radon, 287-5698	
Gaye Mullen, Radiation, 287-5676	

Commission Members

- Sen. Sharon Treat, Chair
- Rep. Robert Daigle, Vice Chair
- Rep. Peter L. Rines
- Rep. William R. Savage
- Sen. Norman Ferguson Jr
- Sen. Tom Sawyer
- Robert Demkowicz, DEP
- Clough Toppan, PE, DHS
- Dr. Robert Marvinney, State Geologist
- Mike Meisner, Maine Yankee
- Ron Ouelette, Public
- Richard Carey, Public
- Stephen Jarrett, Public
- Jim Mitchell, Public
- W. Donald Hudson, PhD, Chewonki Foundation

All meetings of the Advisory Commission are open to the public. The commission meets 4-6 times a year to discuss and review LLW and decommissioning issues. Meeting dates can be found at our website or call Tom Hillman at 207-287-8401 for the next meeting time or to be placed on the meeting notification list.

Utah Initiative Files Class B and C and High Level Waste Waste Disposal Ban

A statewide ballot initiative was filed in Utah to impose substantial taxes on the disposal of out-of-state low-level radioactive waste and to prohibit the disposal of Class B and C radioactive waste within the state. The initiative was filed on April 3rd to promote draft legislation titled the "Radioactive Waste Restrictions Act". The initiative is being sponsored by Utahns for Radioactive Waste Control. Also supporting the initiative are the Utah Education Association (UEA), the Utah Crusade for the Homeless, former state Governor Calvin Rampton, and Mickey Gallivan (son of Salt Lake Tribune publisher emeritus John Gallivan). In order to get the initiative on the ballot for the November elections, proponents must procure in 20 of Utah's 29 counties the signatures of registered voters equal to at least 10 percent of the votes cast in the last gubernatorial election, approximately 77,000 signatures, by the May 31 deadline. Envirocare President Kenneth Alkema was quoted in the local papers as calling the proposed tax "unfair, exorbitant, arbitrary

and capricious" and as arguing that the initiative is based on incorrect data about Envirocare's business and the radioactive waste disposal market and suggests it could put Envirocare out of business. The initiative also seeks to prohibit Utah from licensing or siting a facility for the disposal of high-level radioactive waste, greater than Class C radioactive waste, or Class B or C low-level radioactive waste within the state. Envirocare of Utah previously filed an application to dispose of containerized Class B and C waste at its Tooele County facility. The application was approved, subject to specified limitations and conditions, by the Executive Secretary of the Utah Radiation Control Board on July 9, 2001. Under Utah law, however, the Governor and legislature must approve any new waste disposal licenses. Envirocare has announced that, at this time, it will not seek the requisite legislative or gubernatorial approval due to negative association with the Goshute Indians plan to build a High Level Waste Storage Facility. The Goshute plan is the reason for the move against High Level Waste.

SECURITY

The Nuclear Regulatory Commission has issued Orders requiring all decommissioning commercial nuclear power plants with spent fuel stored in water-filled pools and a spent nuclear fuel storage facility using pool storage to implement interim compensatory security measures for the current threat environment. Some of the requirements formalize a series of security measures that NRC licensees had taken in response to advisories issued by the NRC in the aftermath of the September 11 terrorist attacks. Additional security enhancements, which have emerged from the on-going comprehensive security review, are also spelled out in the Orders. The security requirements will remain in effect until the Commission determines that the level of threat has hanged, or additional security measures are needed follow-

ing a comprehensive re-evaluation of current safeguards and security programs. The Commission views these compensatory measures as prudent, interim steps to address the current threat environment in a consistent manner. The Commission recognizes that the licensees have voluntarily and responsibly implemented additional security measures following the events of September 11. But the Commission determined that it should require certain security measures by Order so that they are maintained within the established regulatory framework. The specific security measures addressed by the Orders are understandably sensitive, but generally include requirements for increased patrols, augmented security forces and capabilities, additional security posts, installation of additional physical barriers, vehicle checks at greater stand-off distances, enhanced coordination with law enforcement and military authorities, and more restrictive site access controls for personnel.

Overwhelming Bipartisan Support of Yucca Mountain

In Washington, D.C. U.S. Energy Secretary Spencer Abraham praised the House of Representatives today for its overwhelming statement of bipartisan support for the development of Yucca Mountain as the nation's permanent nuclear waste repository. "By approving this resolution, the House of Representatives has overridden the state of Nevada's disapproval of the development of the nation's nuclear waste repository at the Yucca Mountain site," Abraham said. "This vote indicates that the House overwhelmingly agrees that the final determination on whether the site meets established and stringent regulatory requirements should be made by the independent experts at the Nuclear Regulatory Commission (NRC). I believe

that it does, and I believe the NRC will ultimately approve Yucca Mountain." "America's national, energy and homeland security, as well as environmental protection is well served by siting a single nuclear waste repository at Yucca Mountain, rather than having nuclear waste stranded in temporary storage locations at 131 sites in 39 states," Abraham said. "It is now up to the Senate to reject Nevada's veto and certainly the Senate will take note of the overwhelming bipartisan support the Yucca Mountain project has received in the House." "Nothing that the opponents of Yucca Mountain have presented, including baseless allegations regarding the trans-

portation of nuclear waste, rises to the burden of proof that requires Congress to stop the process before a thorough review of the site is conducted by the independent experts at the NRC," he said. The federal government has safely transported nuclear waste for more than 30 years and more than 1.6 million miles without ever having a harmful release of radiation. Currently, more than 161 million people live within 75 miles of a nuclear waste storage site. "I urge the Senate to quickly approve our recommendation so that the NRC can make the final determination on the site's suitability to serve as a repository," Abraham concluded.

